



AN ACT ALLOWING THE DEPARTMENT OF FISH, WILDLIFE, AND PARKS TO ENTER INTO AGREEMENTS WITH ADJOINING STATES REGARDING RECIPROCAL FISHING PRIVILEGES IN MONTANA RIVERS AND STREAMS IF THE BORDERING STATE GRANTS THE SAME OR SIMILAR PRIVILEGES; AMENDING SECTIONS 87-2-1001 AND 87-2-1003, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 87-2-1001, MCA, is amended to read:

"87-2-1001. Reciprocal fishing privileges of licensees of bordering states. (1) Any person who is properly licensed to fish in a state that borders Montana and who complies with Montana fish and game laws and regulations may fish in any part of a lake, reservoir, pond, river, stream, or body of water in Montana that lies within or partly within 10 miles of the boundaries of Montana when the water is declared to be open to fishing by the department if the bordering state grants the same or similar privileges in any ~~body or bodies of water or in all lakes, reservoirs, ponds, rivers, streams,~~ or bodies of water similarly defined designated in a reciprocal agreement as authorized in subsection (2) within its boundaries to holders of valid Montana fishing licenses; and if the bordering state enters into a reciprocal agreement with Montana setting forth terms as provided by this part.

(2) The department is authorized to enter into reciprocal agreements with corresponding state officials of adjoining states for purposes of providing reciprocal fishing privileges upon any body or bodies of water as described in subsection (1). A reciprocal agreement may include provisions by which each state shall honor the license of the other state only when a valid reciprocal license is purchased from the honoring state, the charge for the reciprocal license being set by mutual agreement of the states."

Section 2. Section 87-2-1003, MCA, is amended to read:

"87-2-1003. Bodies of water subject to reciprocal privileges. It is the primary purpose of this part to provide a method whereby the fishing opportunities afforded upon any part of any body of water located within or partly within 10 miles of the boundaries of this state may be mutually enjoyed by the residents of Montana and

the residents of ~~such~~ the adjoining states, ~~and it is not intended to cover the waters of rivers or streams,~~ subject to the terms of a reciprocal agreement as authorized in 87-2-1001."

Section 3. Effective date. [This act] is effective on passage and approval.

- END -

I hereby certify that the within bill,
HB 0366, originated in the House.

Chief Clerk of the House

Speaker of the House

Signed this _____ day
of _____, 2009.

President of the Senate

Signed this _____ day
of _____, 2009.

HOUSE BILL NO. 366

INTRODUCED BY MCGILLVRAY, R. BROWN, BALYEAT, ESSMANN, HOWARD, BECKER,
K. PETERSON, HIMMELBERGER, MORGAN, KERNS, P. BECK, RANDALL, ROBERTS, SMITH, ANKNEY,
ARNTZEN, GLASER

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